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DEPARTMENT OF STATE
WASHINGTON

April 2, 1959



MEMORANDUM

FOR: Brig. Gen. A. J. Goodpaster
The White House

FROM: John A. Calhoun *JC*
Director
Executive Secretariat

For your information.

1. Report to NATO on Berlin Contingency Planning
2. Report to NAC of Western Position on German Reunification, European Security & Berlin
3. Agreed Minute of Four Foreign Ministers

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REPORT TO NATO ON BERLIN CONTINGENCY PLANNING

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Following the Khrushchev speech of November 10 and the Soviet note of November 27, in which the USSR announced its intention of withdrawing from its functions with respect to Allied access to Berlin, the Three Powers undertook a revision of their contingency planning with respect to Berlin access.

The planning which had been in existence previously had been predicated on the assumption that Soviet personnel at the Berlin access checkpoints might be withdrawn but that the USSR would not entirely deny its obligations with respect to Allied access to Berlin as confirmed by Four-Power agreements. On this assumption, the Three Powers would have accepted the performance by East German personnel, as Soviet agents, of those functions heretofore exercised by Soviet personnel. They would not, however, have accepted any additional procedures or controls. If necessary, the Three Powers would still be prepared to follow such a course if the USSR declared the East German personnel to be Soviet agents.

The Soviet attempt to deny its responsibilities in toto obviously made a revision of this planning necessary. This revision has been guided by two principles. The first is that expressed in the NATO declaration of December 16, namely, that the denunciation by the Soviet Union of the inter-allied agreements on Berlin can in no way deprive the other parties of their rights or relieve the Soviet Union of its obligations. The second principle is that expressed in the Three Powers' notes of December 31 to the Soviet Union, namely, that the Three Powers cannot accept the substitution of the so-called GDR for the Soviet Union in respect to Soviet obligations regarding Allied freedom of access.

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One phase of Allied planning has dealt with the problem of identifying Allied movements as such. Detailed procedures are now being worked out to assure that each Allied movement via road or rail will be clearly recognizable to East German border control personnel as an Allied movement which is entitled to pass without controls on the basis of the Allies' right of unrestricted access to Berlin. We contemplate that a public statement regarding these procedures will be made in due course if it appears that a Soviet withdrawal from the Berlin access checkpoints is imminent.

A second phase of Allied planning has been the development of detailed instructions to the commanders of military trains and convoys and to the drivers of individual vehicles as to how they are to conduct themselves in the various situations which might arise at the checkpoints. Comparable planning is under way with respect to the maintenance of normal air traffic. Needless to say, there is an almost infinite variety of situations which might develop, but the general principles underlying the instructions are that every effort will be made to continue Allied traffic as normal and that Allied movements will have no dealings with GDR personnel going beyond those which the Three Powers have determined to be a proper part of identification procedures or which the Three Powers may decide to be reasonable to enable the East German personnel to ensure the orderly progress of traffic on the Autobahn or railroad.

A more crucial phase of Allied planning involves the steps to be taken if Allied traffic is refused passage on the pretext of non-compliance with some East German demand going beyond those formalities which the Three Powers have determined to be acceptable. Initially an attempt would be made to continue unarmed convoys until it became clear that such convoys would not be

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allowed to proceed. If such a situation developed, the Three Powers would then make a probe of Soviet intentions to determine whether the Soviets are prepared to use force, or to permit the GDR to use force, to prevent the passage of an Allied movement. It would be preferable not to go into details of the military planning for this operation, but there is no intention that the Three Powers will be the first to use force.

Should the contemplated probe establish that the Soviets intend to use, or permit the use of force to prevent the passage of Allied movements, our planning calls for concerted efforts to take appropriate measures of military preparedness and concurrently to increase pressure on the USSR and the so-called GDR through diplomatic, propagandistic, and possibly economic measures. This phase of the planning has not been worked out in sufficient detail to be reported on further at this time. It is, however, obvious that the resources of the NATO would be needed to reinforce these efforts.

Meanwhile of course it is contemplated that continuing efforts will be in process to exhaust all peaceful remedies. However, the Three Powers' planning does not exclude the possibility that the failure of negotiation and other non-military pressures may require resort to appropriate military force to reopen access to Berlin.

The purpose of the Three Powers' planning is of course to put them in a position to honor their guarantee for Berlin in whatever set of circumstances they may be called upon to do so, and to ensure that the Soviets do not miscalculate on this point. The maintenance of Berlin's freedom and security depends on the continued presence of the Western occupation forces. The effectiveness of those forces' protection for the city depends in turn on the

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continuation of their unrestricted access to Berlin.

It should be noted however that garrison stocks for the Allied forces are substantial and would not require for some months any appreciable replenishment. The situation of West Berlin would, of course, be serious if all civilian surface transport were blocked. The Soviets have not so far threatened such a move, though it remains a future possibility. We are attempting, in formulating our contingency planning, to devise courses of action which will demonstrate that the real issue is not a dispute over technicalities of procedures at the control points but the freedom of access upon which Berlin's survival depends.

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Report to NAC of Western Position on German Reunification
European Security & Berlin



The Foreign Ministers of France, Germany, the United Kingdom and the Acting Secretary of State of the United States have instructed the Quadripartite Working Group which met in Paris from March 9-21 to prepare, as far as possible, an agreed position and tactical plan for negotiations with the USSR for the consideration of the Four Foreign Ministers at their next meeting on April 29. The Group is to be guided by the objectives set forth in the report of the Working Group with which the NATO Council is familiar. The preliminary views of the Foreign Ministers as to the main lines of their position have been concerted and are as follows:

A. Method of Reunifying Germany

1. Bearing in mind the complex issues involved in reunification, the Foreign Ministers believe that, provided the principle of free elections is accepted, a transitional period could be proposed during which an all-German Committee responsible for certain limited tasks could be established. This all-German group could be authorized by the Four Powers to prepare for free elections for an all-German National Assembly. The Assembly would draft an all-German constitution and form an all-German Government.

2. The all-German Committee would formulate the draft of a law for general free elections for an all-German National Assembly.

3. During the interim period the all-German Committee established under this plan could make proposals on certain non-political tasks in the fields of technical, commercial and cultural contacts and the promotion of the free movement of people, ideas and goods. It might also study whether satisfactory conditions regarding human rights and political freedom in East Germany had been established.

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B. Security Measures in Europe

1. The Foreign Ministers propose further to study how progress in the security field should be linked to and proceed in step with progress toward the reunification of Germany as outlined above.

2. The Foreign Ministers considered the possibility of a special zone in Europe (zone of limitation and control or zone of inspection) which would also permit the concomitant settlement of political problems without prejudice to the security of the West. In that connection the following security measures in such a special zone could be studied as well as their synchronization with the development of the German reunification plan:

- A. Renunciation of the use of force and of giving aid to aggressors;
- B. Exchange of information on military forces in the special zone;
- C. Establishment of ceilings on forces in a special zone.

The Foreign Ministers expressed agreement to negotiate certain special measures relating to the disposition of military forces and certain additional mutual obligations in the event of Germany choosing to become a member of a security system.

The Foreign Ministers instructed the Working Group to study also the question of the connection to be established between general disarmament and proposals for the reunification of Germany.

C. Future Status of a Reunified Germany (Peace Treaty)

1. The Foreign Ministers fully recognize the importance of preserving undiminished the right of an all-German Government to participate in German peace treaty negotiations without finding itself confronted with irreversible positions taken in advance by the other major powers. Nevertheless, since it

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is certain that the USSR will insist on a discussion of a peace treaty at the coming meeting, it is believed that there would be advantage to the West in enabling a statement of general principles to govern such a peace treaty. A Western draft treaty might also be prepared for possible use if this were to seem advisable under the circumstances prevailing at a conference.

2. If this is done, the rights of an all-German Government must of course be specifically reserved.

3. The Western Powers could effectively use discussions on the principles of a peace treaty as a vehicle for presenting the Western position on reunification.

Berlin

The Foreign Ministers considered the various aspects of the Berlin question. They suggested a certain number of questions to which further study should be given by the Working Group, based on the resolution of the Council of December 1958, and consistent with the three principles given to the Council in the Working Group Report of March 25.

Further Program of Work

The Quadripartite Working Group will reassemble in London on April 13. The Foreign Ministers agreed on a directive to the Working Group for the next phase of its work.

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